## THE RING FRAUDS,

Another Field Day of "Wind and Fury, Signifying Nothing."

Continuation of Argument on Motion to Quash the Indictment Against Tweed.

Question To Be Raised as to the Jurisdiction of the Court.

#### DECISION RESERVED ON ALL THE POINTS.

The proceedings in the case of the People agains m M. Tweed in the Court of Oyer and Terminer, which were begun last Tuesday by a motion on the part of defendant's counsel to quash the in-dictment on the ground that two other later indict-ments still in the Court of General Sessions had superseded the indictment in this Court, were re-sumed yesterday before a very crowded audience,

Judge Brady on the Bench.
Counsel for Tweed opened the proceedings by

be met by affidavits for the prosecution. Mr. Peckham replied that, admitting all said in the amdavit to be true, it was simply the fact that there was a mistake of fact on the part of counse each side and did not affect the question of law now before the Court. He simply now discuss the law question. The indictment for larceny, which was said to supersede this indictment, was a simple charge that he obtained a warrant. The charge in s case was that he obtained a certificate of audit fraudulently. On mere inspection the Court could see that this was not the same offence nor about case. Counsel had asked him to show how a false signature to the certificate could be forgery. The statute made a false signature, by which a ary claim, or evidence of such claim, was created. a forgery. The statute creating the Audit Board the certificate of the Auditing Board evidence of a correct claim against city. It was not necessary that age should have actually arisen. And Tweed, by signing the Mayor's name been guilty of forgery, then in obtaining his signature fraudulently, he came within the Mock Auction act. Under this view of he case the proper course of the prisoner was not to move to quash an indictment, but to stand his trial and then, if attached on the other, plead the previous trial. But if the statute were to be folowed strictly then the proper course was not a motion to quash, but a plea. Where there was any difference in the records the Court could not on mere inspection determine that the two indictments were the same. That could only be determined on evidence. In these two indictments there was a broad distinction. In this Mr. Tweed stood with the main act, and, if Tweed should so elect Woodward must be first tried. The Court could not decide on mere inspection that they were identical. There was not a feature or the two alike, except the amount of the draft mentioned in each. The act was different, the crime was different, the parties different and the means different. As to the indorsement for forgery there was no resemblance in the crimes. might receive a paper by chicanery and fraud, and afterwards perpetrate another crime to make the first effectual. They were even more widely different than fraud and larceny; but he admitted that in one feature the two indictments were alike; both set out the same warrant, and in another count of the present indictment it was alleged that he converted this warrant, and it was argued that there could be no conversion without a forgery, and that evidence of the forgery must be given to

reason. Evidence of one crime might be pertinent to the proof of another crime or not. Its admission rested entirely in its pertinancy to the cause on trial. And so it might be necessary to prove a forgery to sustain the cheat and yet the crime be distinct. Might it not be that he obtained the warrant by a cheat and afterwards, as he was informed was the truth, forged the endorsement and thus obtained the whole money and that those two were distinct offences.

sustain this crime. Now that evidence might be

objectionable on the trial, but that alone was no

reason. Evidence of one crime might be pertinent

distinct. Might it not be that he obtained the warrant by a cheat and afterwards, as he was informed was the truth, forged the endorsement and thus obtained the whole money and that those two were distinct offences:

Counsel for the defendant replied that he had never before realized how mean the State of New York was. Here was a District Attorney with an able assistant and two appointed, not elected, Attorney Generals, who to a plain question did not face it, but made faces at it. He wished the people could be here to see what was done in their name.

Mr. Peckham here asked that counsel be confined, as he had been, to the mere legal question, or that he have leave to answer the other portions. Judge Brady said he should do so, as only the legal points would avail with him.

Counsel, resuming, said he supposed that the people were willing to place themselves in the place of an individual, and answer questions when properly put. He proceeded to argue that the question of the identity of the warrant on which all three separate indictments, was the same. But he argued that the indictments, was the same. But he argued that the indictments, was the same. But he argued that the indictments themselves, the highest record proof, was of itself sufficient proof of the identity of the papers on which all three were founded. The larceny indictment, which more fully than the forgery indictment covered the subject matter of this "cheat?" indictment, did not show their identity of themselves, what would be given as parol evidence of such identity? It was publicly announced that one of these indictments was intended to supersede this indictment, though the District Attorney, misled by the size and general appearance of the indictment, had mistaken the one. There had been a charge within the last forty-eight hours in a public paper that the District Attorney had, in order to secure a three years' renewal of his term of office, permitted his office to be run in the interest of his client. So far from hat, he (the counsel) had be

Mr. Peckham said he did not either admit or

Mr. Peckham said he did not either admit or deny it.

Mr. Peckham said he did not either admit or deny it.

Counsel claimed that in the bitterness of their persecution of Mr. Tweed they had out their own throats. It seemed like an overruling Providence that they should so dereat themselves. There was an instance in Holy Writ where one had built a gallows on which be first was hanged. But that they in their over eagerness had imprisoned themselves was no reason for overruling the law. The statute quoted by Mr. Peckham did not make the four papers to whose completion Mr. Hall's signature had been given of any value until keyser & Co. endorsed them, nor had Mr. Hall's signature, without that of his two associates in the Board, any value which brought it within the statutory definition of an endorsement to which a false signature would be a forgery. The prosecution could not split the component parts of a crime into all the crimes which were subservient to the crime. In civil courts a cause of action was indivisible. Nor was there any other rule in the priminal law. If Mr. Tweed did various cheats to effect the cheating of the county of New York all the subservient cheats were absorbed in the final act, and no other rule could be held. This was not the case where a man going to perform one crime turns aside to commit another. There he admitted that separate indictments would lie; but not in the case of one crime committed solely for the purpose of effecting another, in which the first was absorbed in the latter. Counsel cited Senator Specer's opinion in 9th Cowan. The prosecution could not carry Mr. Tweed beyond their second and third counts, and, if they failed in those, rely on the first count and say the Grand Jury lied. He would like to be a king long enough to cast saide a contradictory indictment and tell the Grand Jury if they brought in such a one-that they were perjured and regardless of their oath. Had they stopped at alleging the procurement of the Mayor's signature that would have been enough, but they

ing an indictment, not of quashing a count. There was humanity and mercy in this. It meant that criminal triats should be conducted for truth, not for yietory. The people of the State of New York did not desire to lap the blood of an innecent victim merely because they could crush him. They did not enter the Court to triumph, but to protect the citizens and enforce the law. Counsel closed his speech by another reference to Judge Spencer's opinion bearing on the case.

The papers were then handed in, and the Court reserved its decision.

QUESTION RAISED AS TO THE JURISDICTION OF THE COURT.

Mr. Field asked that the Court name a day when he would again hear them. There was a metion to be heard to set down the case for a trial, on which they should make a motion to quash the Judge Brady said he had understood this as a

motion to quash.

Mr. Field said this was rather a preliminary obection to the motion to set down the trial, in the
asture of a plea to the jurisdiction. They had,
thould His Honor decide against them, a motion to
quash the indictment on entirely different grounds,
which would properly be made on the motion to
set down the case for trial. He did not desir
when they presented this motion to be met with
the objection that they had already made it.

Mr. Feckham said he understood the matter as
dr. Field did.

Judge Brady said he would inform them some

Mr. Pield did.

Judge Brady said he would inform them some day when he would hear them further.

The Court then adjourned.

### THE COURTS.

Alleged Violation of the Shipping Act-The Leland Bankruptey Case-Decision in Admiralty-The Special Rights of a Bebtor to His Watch as Against a Creditor-Mrs. Garvey in Court-Suit Against the Manhattan Gaslight Company-Business in the General Sessions.

UNITED STATES CIRCUIT COURT.

Alleged Violation of the Shipping Law. Before Judge Benedict.
Yesterday Judge Benedict sat in the United States Circuit Court and proceeded with the trial of George Koppel and Thomas Anderson, who are

of George Koppel and Thomas Anderson, who are charged with violating the Shipping law by boarding a vessel before she was moored, without leave of the master. After the case had been partly heard it was adjourned till this morning.

The Grand Jury brought into Court live bills of indictment against parties charged with infractions of the Internal Revenue law, counterfeiting, presenting false vouchers, &c.

UNITED STATES DISTRICT COURT-IN BANKRUPTCY.

The Bankruptcy of Leland & Co .- Bonds and Coupons as Commercial Paper. Yesterday Judge Biatchford rendered the followng decision in the matter of Simeon Leland & Co. bankrunts .... I think that on the authority of the bankrupts:—I think that, on the authority of the highest courts of this State and of the United States, the bonds and coupons in question are negotiable instruments, although issued by an individual under his seal and not by a corporation, and are not specialties so as to make them subject, in the hands of their assignce, to equities against their assignor. Although under seal they were issued, as they show on their face, to secure the payment of money on time, and they contain on their face expressions showing that they are expected to pass from one person to another by delivery. Therefore the attributes of commercial paper attach to them. Their character cannot be controlled or varied by the mere fact that their maker put a seal after his name. (Brainerd vs. New York and Harlem Railroad Company, 25 N.Y., 496; White vs. Vermont Railroad Company, 21 Howard, 575; Mercerto vs. Hackett, 1 Wallace, 83.) Such bonds and their coupons pass by delivery—a purchase of them in good faith is unaffected by want of title in their vendor, and the burden of proof, on a question as to such good faith, lies on the party who assails the possession. (Murray vs. Lardner, 2 Wallace, 116.) The evidence in this case shows that the Union Square National Bank became to all substantial intents the purchaser of these bonds and coupons, in good faith, ior, a full and lar consideration, in the usual course of business, and without notice of any possible defect in the title of their assignor.

These views proceed on the assumption that the claim of the bank will absorb all dividends on the bonds and coupons, and apply only to the interest of the bank therein. If there shall be a surplus beyond paying the claim of the bank, questions as to the title and position of their assignor may become material. The interrogatories which the witness declined to answer were trrelevant.

T. M. North for the assignee in bankruptcy; D. nighest courts of this State and of the United States,

T. M. North for the assignee in bankruptcy; D. McMahon for the bank.

#### UNITED STATES DISTRICT COURT--IN ADMIRALTY. Decision.

Yesterday Judge Blatchford rendered his decision in the case of John Irwin vs. The Steamtug W. E. Chaney, Her Tackle, &c., and Albert R. Bass vs. The Same. These libels were filed to recover—the first one the value of the barge Colonel J. A. Mulligan and the second one the value of a cargo of coal on board of her. The barge and her cargo of coal on board of her. The barge and her cargo were sunk and lost while in tow of the steamtug W. E. Chaney, in the harbor of New York, in the vicinity of Robbins Reef buoy, on the 7th of November, 1871, in the daytime. His Honor deals at length with all the facts of the case and finally decides that there must be a decree for the libellant in each case, with costs, and a reference to a commissioner to secretain the daymages. missioner to ascertain the damages.

Beebe, Donohue & Cooke for the libellants; Goodrich & Wheeler for the claimant.

Action for Supplies to a Steam Vessel. Wickes vs. the Steamer Circassian. - About five years ago the steamer Circassian was lying at this port, bound on a voyage to Europe. She needed coal for the voyage and the Captain applied to a Mr. Bass, a coal dealer, who furnished the coal required. The vessel was a domestic one, belonging to New York. The libeliant claims that Bass had a lien on the vessel for this supply. Mr. Bass assigned his claim to Mr. Wickes. The defence is, first, that the claim is stale, and second, that no lien ever existed for the claim. The case is at hearing.

SUPREME COURT-CHAMBERS. A Man's Watch Exempt from the Claims

of a Creditor.
Before Judge Ingraham.
Greene M. Southard vs. George Wolbrecht. is a case the result of which is interesting to those fortunate enough to indulge in the luxury of carrying a gold watch. The defendant had the misfortune to become involved in debt, and his property was handed over to a receiver for the benefit of his creditors. In this transfer of property he refused, however, to part with his watch. A motion was accordingly made to compel him to give up his timepiece. The case was argued at some length. For the defendant it was claimed that a man's watch was nothing more or less than an article of dress, and that a creditor had no more right to take it than to take one's coat. On the other hand it was insisted that a watch was an article of luxury, and one that should be given up in payment of debt. After hearing the argument the Judge denied the motion; or, in other words, to use his own language as entered in the record of decisions, "a watch may be included among the necessary articles of a debtor which is exempt from the claims of the creditor."

The People ex rel. Thomas Canary.—From July to November, 1871, Mr. Canary did the street sprink-ling for the city. There was, as seems to be the rule nowadays with those doing corporation work, some hitch about the pay. Tired of waiting, he caused application to be made for a mandamus against the Board of Apportionment, compelling payment of his claim, amounting to some fifteen thousand dollars. The old line of argument in these cases was gone over with. After hearing the lawyers, which the Judge did, under the circumstances, very patiently, he granted the motion and directed a mandamus to issue: rule nowadays with those doing corporation work,

Decisions. Clamin et al. Vs. Gerson.—Motion granted. Bradt vs. Davenroy.—Same.

The People, ex rel., McGowan vs. A. H. Green comptroller.- Mandamus granted, directing pay

Comptroller. Mandamus granted, directing pament of \$200.

Hartman et al. vs. Morgan.—Motion granted.
The People ex rel. Thomas Conway vs. The Boa of Apportionment.—Motion granted,
Weis et al. vs. Osborg.—Same.
Kelly vs. Voigl et al.—Injunction continued as alley of three and a half feet, and vacated as residence.

esidence. Blake vs. Woodruff et al.—Motion granted. Lightfoot vs. Bangs et al.—Motion denied. Barry vs. Klein.—Same. In the Matter of Henry W. Gear, &c.—Motion

ranted. Collamore vs. Cropsey.—Same. Marks vs. Harrison et al.—Same.

Some of Andrew Garvey's Madison Ave-

Before Judge Barrett.
Isador Wormser vs. Isabella Garvey.—Before Andrew Garvey, the great municipal plasterer, took his sudden departure from the city, when the monster Ring frauds were first being overhauled, he conveyed some property in Madison avenue to his wife, the defendant in this action. It is claimed by the defendant that the latter sold him the property

worth some \$200,000. Suit was brought before Judge Barnard to compel an enforcement of the contract, but the sickness of Mrs. Garvey caused a delay in the trial. The case was called yesterday, which resulted in another delay. This time Mr. Luther R. Marsh, on behalf of Mrs. Garvey, professed great eagerness to have the case tried, but Judge Dittenhoefer, representing Mr. Wormser, submitted an amidavit showing the absence of a material witness. It was finally settled that the case should be set down for the December term, but with the understanding that a further delay would not be asked for on the same ground.

SUPERIOR COURT-TRIAL TERM. tota Singular Suit, but Certainly S Very Singular Facts.

Before Chief Justice Barbour. William Schaus vs. The Manhattan Gas Light Company.—This case, which has been on trial for two days, presented some points of much interest. In 1868 the defendants were laying gas mains in Breadway in front of the plaintiff's premises. They had dug a trench two feet wide and three feet deep, had dug a trench two feet wide and three feet deep, and had laid a main, but had not filled in their trench from Waveriey place to Clinton place. On the night of the 24th and 25th of July there was a terrible rain shower, rain falling to the unprecedented depth of three and one-half inches in an hour and twenty minutes. That night the water found its way into the plaintiff's cellar, damaging goods to the amount, it was claimed, of from four to five thousand dollars. Mr. Schaus charged it upon the gas company. It was found that the earth in the trenchshad caved in in front of the plaintiff's premises, and it was claimed that the injury resulted from the negligence of the defendants. The defendants? counsel, in defence, showed that the water all entered Mr. Schaus' basement through and around the pipe connecting his water-closet with the sewer. It was shown also that the sewer in Broadway emptied into a circular sewer four feet in diameter in Clinton place, running into Sixth avenue; that this sewer at Fifth avenue; joined a sewer oval in form and of considerably less size. The result of this very stupid engineering was to set back the water and prevent its flow; and it was proved that at this time the water was set back to such an extent as to completely ill the Broadway sewer and raise the column of water in the manhole at Waverley place about four feet above the erown of the sewer. The effect of this was to force the water through into Mr. Schaus' cellar, and the earth not being rammed down around his pipe and the aperture not being cemented, the earth of the trench to cave in. This exonerated the gas company, and the jury found a verdict for the defendants.

A. R. Rodgers and Mr. Sherman for plaintiffs; Henry H. Anderson for the defendants. A. R. Rodgers and Mr. Sherman for plaintiffs; Henry H. Anderson for the defendants.

COURT OF COMMON PLEAS-TRIAL TERM.

Got Pay for His Drinks and Cigars After

Before Judge Loew. Moritz Brockman vs: Eberhard Faber .- In February, 1871, two men called at the plaintiff's saloon, and having refreshed themselves with drinks and cigars tendered in payment a check for \$140. The check was drawn by Mrs. Hexamer on the defendant. Leaving his wife in charge of the saioon Mr. Brockman hurried off to the defendant's place of business to find out if the check was good. Mr. Faber told him he presumed it was all right and referred him to his bookkeeper. The latter said it was good, wrote on it "Accepted, C. Faber per Baber," the latter being his name, and promised to pay it next day, it being after their business hours. Mr. Brockman, after this, gave his two customers money to the check, minus their bill, of course, and deposited it in bank. The check came back endorsed with the statement that payment on it had been stopped and the same previously announced in a newspaper advertisement. As the plaintiff could not get his money back he brought this suit, which was tried yesterday. The defence was that no authority was given to the bookkeeper to make the endorsement he did on the check. In opposition to this it was contended that his referring the matter to the bookkeeper confirmed this authority. A verdict was given for the plaintiff for \$209 20, the full amount claimed.

> COURT OF COMMON PLEAS. Decision.

By Judge Robinson.
Sallie L. Bursley vs. David Bursley.—Divorce granted to plaintiff.

COURT OF GENERAL SESSIONS.

A Car Conductor Acquitted of a Charge Larceny-Alleged Wife Murder. Before Recorder Hackett.

Most of the session was occupied yesterday in finishing the trial of Charles L. Ridor, a conductor on a Grand street railroad car, who is charged with being in collusion with three men in stealing \$250 from Aaron Wolburg, a passenger on the car. The estimony was conflicting in reference to the occur rence, and the accused showed previous good character. A verdict of not guilty was rendered.

In the afternoon Assistant District Attorney Sullivan moved the trial of Mark Flanagan, indicted for the murder of his wife, Catherine Flanagan. There was no delay in obtaining a jury, Mr. Kintzing, the counsel for the prisoner, not interposing any objections to the jurors. It seems that the prisoner and his wife and six children occupied apartments in a tenement house at No. 405 East Seventeenth street, and that on the night of the 16th of August last the prisoner asked his wife for money to purchase

prisoner and his wife and six children occupied apartments in a tenement house at No. 405 East Seventeenth street, and that on the night of the 16th of August last the prisoner asked his wife for money to purchase liquor. Subsequently they were righting in their bedroom and he stabbed her in the neck with a shoemaker's knife, inflicting a mortal wound. Mr. Sullivan made a touching opening to the jury, stating that a more dramatic spectacle than was ever enacted upon any mimic stage would be witnessed in the court during the trial. The prisoner was charged with the deliberate murder of his wife, and one of the witnesses to establish the crime would be the little son of the accused.

The first witness examined by Mr. Sullivan was James Planagan, an intelligent boy thirteen years old, who said that his parents lived in the tenement house 405 East Seventeenth street; had four rooms and there were eight children; his father was a shoemaker, and on the evening of his mother's death he was in the room; his father wanted some money to get ale; she said she had none and that he did not need any; the father tore his vest, and then the boy's mother told him to go out on the fire escape and cail up Mrs. Graham; he called her and upon returning he saw his mother with a broom trying to keep his father away; the witness went outside again, hallooed for help, and when he came in he saw his father kneeling over his mother; she hallooed, "He has got a knife;" then the boy took hold of his arm and tried to keep his hand away from her; witness made a grab to take the knife which was in his father shand, and in doing so scratched his own hand a little; during this time his mother was trying to get up from the floor; witness kid not hear his father say anything; they were in the furthest bedroom, and when he (the witness) returned the last time there was a crowd of women doing something to his mother; he saw blood all down her wast when she tried to wake him his father was do his father say anything; they were in the furthest bedroo

oner was not insane, but that he was only playing 'possum; that he deceased was a poor, defenceless woman, and he "abused her to death on all occasions."

Mary Graham, the landlady of the house, testified that she was called into Mrs. Flanagan's room and saw Mr. Flanagan standing over her with a knife lank in right hand; the witness got hold of and shook him; he looked at her very wildly; she pushed him into the front bedroom and the deceased went into the hall; Mrs. Buckley shouted that the prisoner's wife was stabbed; the witness rushed out, brought the deceased into the room, and she was all bleeding; she had a wound on the right breast and another small one below; witness put her down on the floor, and a neighbor washed the wounds; the prisoner came out of the front room, looked at the deceased, went to the closet shelf, took a bottle, and said he would poison himself and then drown himself; the witness iollowed him and brough him into the back bedroom; afterwards he came out, looked at his wife, raised his food and kicked her; the boys went for the poilce, who arrested the prisoner.

In answer to the Recorder, Mrs. Graham said that

by the prisoner's counsel and testified to the prisoner having fits, and described his manifestations upon such occasions. When he attempted to poison nimself he drank about two inches of the liquid in the bottle, which she understood the prisoner used to put on leather.

It is understood that the defence in this case will be invanity.

be insanity.

The court adjourned at the termination of the examination of this witness till to-day when the trial will be resumed.

November Grand Jury for the Court of General Sessions.

The Grand Jury for the November Term of the Court of General Sessions was drawn yesterday, the drawing taking place in the presence of Judge Ingraham, of the Supreme Court. Mr. Douglas Taylor, Commissioner of Jurors, supervised the drawing. Mr. Henry H. Gumbleton, Deputy County Clerk, drew the names from the wheel. Mr. Stevens, Deputy Sherif, represented Sheriff Brennan. The names were drawn from a panel of about seven hundred. The following were the names drawn:—Charles L. Perkins, George W. Quintard, Jeremiah Devlin, David S. Paige, Fitch W. Smith, James M. Raymond, Isaac P. Cole, James Turner, Robert Buch, James Taylor, Benjamin Albro, Samuel B. Varaensen, Peter Kimble, Charles G. Rosenberg, John T. Levy, Albert Storer, Charles F. Hadden, William S. Corwin, Frederick C. Gloeckner, John Harper, Henry Perry Marshall, Edward Slade, Edward H. Miller, John M. Pilford, Henry F. Anthony, Isaac Thomas Frost, Lindsey irving Howe, Isaac Bernheimer, Daniel E. Von Volkenberg, John P. Elmendorf, Abraham R. B. Moss, William Miles, Benjamin B. Vanburen, Thomas F. Gibbons, James Speyer, John R. Harris, James Kearney, John William Gutyer, Robert W. Nesbit, Cortiand De. P. Field, Thomas Martine, Edward White, Jacob Phillips, Walter L. Childs, George Smith and Peter C. Baker. drawing. Mr. Henry H. Gumbleton, Deputy County

#### COURT CALENDARS-THIS DAY.

COURT OF OYER AND TERMINER—Held by Judge Brady.—Burglary, John Wrenn, Martin Terney, John Jones, Patrick Welden and Nathaniel Pang-burn; felonious assault and battery, James Mc-Giveny, John Regan, Samuel Mudgett and William Fremont.

Duty; felonious assault and battery, James McGiveny, John Regan, Saimuel Mudgett and William Fremont.

SUPREME COURT—Part 2—Held by Judge Van Brunt.—Nos. 2702, 2952, 3388, 2434, 3464, 3476, 3658, 3674, 3712, 3714, 3720, 3738, 3768, 3770, 3778.

SUPREME COURT—SPECIAL TERM—Held by Judge Barrett.—Demurrer No. 27. Law and fact, Nos. 5. 115, 104, 107, 126, 131, 85, 86, 89, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 142.

SUPREME COURT—CHAMBERS—Held by Judge Ingraham.—Nos. 102, 104, 106, 131, 135, 104, 179, 189, 194, 222, 223, 224. Call No. 228.

SUPREME COURT—CHAMBERS—Held by Judge Ingraham.—Nos. 102, 104, 106, 131, 135, 104, 179, 189, 194, 222, 223, 224. Call No. 228.

SUPREME COURT—HELD TERM—Part 1—Held by Judge Barbour.—Adjourned to Monday, October 21. Part 2—Held by Judge Monell—Nos. 1318, 854, 1430, 1432, 1454, 1456, 1458, 1460, 1462, 1464, 1466, 1468, 1470, 1472, 1474.

COURT OF COMMON PLEAS—TRIAL TERM—Part 1—Held by Judge Loew.—Nos. 68, 374, 468, 1337, 97, 1669, 609, 1855, 1858, 1678, 866, 932, 112454, 1051, 846.

COURT OF COMMON PLEAS—GENERAL TERM—Held by Judges Daly, Robinson and Larremore.—Nos. 46, 54, 39, 33, 52, 72, 92, 93, 86, 86, 17, 172, 73, 41 A, 41 B, 157, 188, 190, 194, 195, 196, 199, 202, 200, 206, 208, 209, 209, 211, 212, 213, 214, 215, 217, 218, 219, 222, 223, 224, 225, 226, 227, 78, 152, 87, 101, 184, 203.

MARINE COURT—TRIAL TERM—Part 1—Held by Judge Gross.—Nos. 542, 582, 596, 608, 644, 646, 660, 704, 748, 752, 754, 758, 700, 762. Part 2—Held by Judge Shea.—Nos. 627, 537, 553, 621, 685, 623, 691, 993, 697, 701, 703, 705, 707, 709, 721. Part 3—Held by Judge Shea.—Nos. 627, 537, 553, 621, 685, 623, 691, 993, 697, 701, 703, 705, 707, 709, 721. Part 3—Held by Recorder Hackett.—Homicide, Patrick Clifford; mansiaughter, Joseph Dykes; rape, Rubusilano Felins, Patrick McNamee and James Brennan, John Campbell and Charles McGuire: burglary, John Langdon and Henry Merrill, William Bavis and James S. Smith; grand larceny, William Bavis and James S. Smith; grand larceny, William Bavis and James S. S

#### TOMBS POLICE COURT.

An Alleged Emigrant Swindler Arrested. John Quinn, an alleged emigrant swindler, was yesterday brought before Justice Dowling, at the Tombs Police Court, charged with having robbed John Challon, a native of Germany, of \$1,010. Challon, who came to the United States some years since, has been living at Manistee, in the State of Michigan. He earned money enough to send to Germany for his wife and two children and as his finances continued to be in a prosperous condition, he determined to pay a visit to other friends in Faderland. He consequently procured a draft of \$1,000 on a Berlin banker, and, with \$60 additional in currency in his pocket, came on several days since to take passage in the Cimbria which yesterday sailed for Hamburg. Crossing to New York on the ferry-boat from Jersey City he alleges he was accosted by two men, one of whom he identifies as Quinn. They, learning his intention to go to Germany and that he had the draft in his possession, took him to an exchange office in West street, where they prevailed upon him to surrender it, with \$10 additional, to them for safe-keeping. They told him to call yesterday, and when he did so, urged him to hurry on board the steamer, for, as they sagely remarked, "he might get left." Quinn, he alleges, even proposed to accompany him on board, and did accompany him to the Battery, where Challon, suspecting that all was not right, eluded him, and crossing to Jersey City, found Detective Burns, of the Eric Railroad, to whom he told his story. The officer at once telegraphed to Manistee to warn the banker there of the loss of the draft, and then found and arrested Quinn, who was committed without bail. a draft of \$1,000 on a Berlin banker, and, with \$60

## MUNICIPAL AFFAIRS.

BOARD OF ALDERMEN.

tee Proposed.
The Board of Aldermen met at two o'clock yester-

day afternoon. President John Cochrane was in the

After the disposal of some unimportant business Alderman Van Schaick moved the postponement of the special order of business relating to back drivers, and recommended in connection with his motion that if the Assistant Aldermen should apmotion that if the Assistant Aldermen should appoint a special committee to take charge of the subject a like committee should be appointed by the Board of Aldermen to confer with the former. The motion was carried.

A statement of the expenditures for the legislative department up to October 12 was submitted by the Comptroller. Out of the appropriation of \$252,000 the amount of \$160,807 45 had been expended.

The Board adjourned until one o'clock on Monday next.

BOARD OF ASSISTANT ALDERMEN.

M. J. Kelly Elected to the Clerkship in

Place of Dempsey.

The Board of Assistant Aldermen met yesterday,
President Hall in the chair. Previous to the session

the members held a private caucus, at which it was said they discussed a proposition to remove who was recently arrested for attempting to kill Lottle Stanton in a house of ill-fame in Thirteenth

When the Board organized the President an nonneed that he had received a communication from Mr. Dempsey tendering his resignation. The

from Mr. Dempsey tendering his resignation. The letter was then read and the resignation was accepted by a unanimous vote.

A motion was offered appointing Mr. Michael J. Kelly, the Deputy Clerk, to fill the vacancy created by the resignation of Mr. Dempsey.

A vote was then taken and Mr. Kelly was appointed Clerk of the Board,

Assistant Alderman Costello moved a resolution, requesting the Commissioners of Health to report by what authority the work of remoying night soil has been taken from the night scavengers and given to one or two individuals. Adopted.

Among those present in the chamber were the Rev. Stephen H. Tyng, Jr., and Mr. Apollo R. Wetmore, who appeared to petition the Board against the resolution taking off ten feet from the sidewalks in front of Mr. Tyng's church, and also in front of the Hospital for the Ruptured and Crippied.

A resolution was offered rescinding all resolutions of the Board providing for the maintenance of private lamps at the expense of the city. It was referred.

BOARD OF AUDIT. Another Mandamus Served. This Board met yesterday, Comptroller Green in

the chair.

While in session a mandahus, Issued by Judge Ingraham, was served upon Comptroller Green to

# CONSCIENCE MONEY.

Comptroller Green yesterday received the follow-

Comprehence Green yesterday received the following letter:

CRURGE OF THE NATIVITY, 48 SECOND AVENUE, NEW YORK, Oct. 16, 1872.

DEAR SIR—A person unknown to me sent the sum of \$40, asking me to return it to the city of New York, freezy which it was wrongfully obtained several years since. Very respectfully, your obedient servant.

Pastor of Nativity Church.

ANDREW H. GREEN, Comptroller.

The amount, \$40, has been deposited by the Comptroller in the city treasury.

occupied by Max Patgaur as a drug store, that canged a damage of \$1,000. Insured.

A fire broke out yesterday afternoon on the first floor of the five story building 1,311 Third avenue,

## NATIONAL BOARD OF TRADE.

THIRD DAY'S PROCEEDINGS.

The Eric Canal as a National Highway for Trans portation of Grain-The United States the Greatest Grain Country in the World-A Commission Proposed to Negotiate a Reciprocity Treaty with Canada-Gambling in Stocks and "Corners" Denounced.

The Board resumed its deliberations at half-past en o'clock yesterday morning, President Fraley in the chair. The proceedings were opened by prayer by Rev. Dr. Leavitt, of New York.

The desks of the members were covered this morning by pamphlets on "The Causes which Drive Commerce from Our Doors," &c., signed by George O. Jones, formerly of Albany, but now of New York MARKET REPORTS.

Mr. Young, of Baltimore, from the Committee on Market Reports, reported that it could not recom-mend the Board to change the present system, but n favor of a committee of three to confer with the curing as full market reports as possible. The re-port was adopted, and Messrs. Rowland, Young and Morrison were named as such committee. MEMORIALS

relative to steam on canals and a Georgian Bay canal between Lakes Huron and Erie were received and referred to the appropriate committee. CHEAP RAILWAY FREIGHTS.

A resolution of Mr. Ferguson, of Troy, instructing the Executive Committee to take some action looking to the devising of some means to secure cheap railway transportation, was voted down, the Board refusing to refer his resolution to the Executive Committee.

GREATER FACILITIES FOR TRANSPORTATION. Mr. DORR, of Buffalo, called up Subject No. 6-inland water communication

ollows:follows:—

Resolved, That in the judgment of the Executive Council, it any proposition be entertained by the National Roard of Traposition be entertained by the National Roard of Traposition of the United States of more shown as a find of any work within the limits of a particular State, it also shown that such State is ready to abandon entirely to the shown that such sent any and all interest it may have to another the entire jurisdiction over and control of such work, together with the free and unrestricted right of way and a release of all private gwnership.

Mr. Dorr argued that water routes were always more economical than railroads, and in his opinion the West needed greater facilities, either by the improvement of the Eric Canal or the canal system of the St. Lawrence.

Mr. HAZARD, of Buffalo, followed in support of th resolution, reviewing the early history of the Eric Canal. He claimed that it was clearly the duty of

The United Kingdom of Great Britain and Ireland imported last year from all countries equal to 150,000,000 bushels of cereals, of which the United States furnished 47,185,386 bushels, Russia 43,500,000 bushels, and other countries the balance. The total exports of Russia in 1870 were 132,917,000 bushels, while the total exports from the United States for that year were about 40,000,000 bushels. Thus it will be seen that in competing for the supply of the English market we have a powerful antagonist, possessing a country similar to our own in its topography and agricultural resources: active in projecting works of internal improvement, for the purpose of cheapening the to our own in its topography and agricultural resources; active in projecting works of internal improvement, for the purpose of cheapening the transportation of its products to the scaboard, and determined to hold her supremacy in the markets of the world for the sale of her agricultural products. The United States, according to its population, is the largest grain producing country in the world, the product for 1860 being 38 2-10 bushels to each thabiture, the world of Russia bushels. at the rate of a fraction over twenty bushels to each inhabitant; Germany, France, Austria, Great Britain and Ireland being a fraction over eighteen bushels to each person. Can there be a better argument for cheap transportation than the fact that the United States, being the a better argument for cheap transportation than the fact that the United States, being the largest food producing country in the world must have cheap transportation for surplus food, or be supplanted by other nations in the markets which now control the price and value of our products? With an enlarged canal adapted to boats of 150 tons, under a low-toli policy and cheaper freights, the tonnage would soon be doubled and the saving in expense of transportation would exceed the cost of the enlargement the first year of its completion. To show the national character of the traffic of the Eric Canal it may be of interest to state the 'proportion for a few decades of the New York State or local tonnage, compared with that of the Western States arriving at tide water:

Local—Tons. Western—Tons.

1840. 319,167 129,580
1850. 530,358 841,501
1869. 229,121
2,028,568
Thus it will be seen that the local tonnage in 1840 was more than twice as large as the Western; in 1850 the West exceeded it by more than fifty percent, and ten years later was five times larger, and in 1869 the Western was ninety per cent of the total tonnage.

On facts like these the national character of the

cent, and ten years later was five times larger, and in 1869 the Western was ninety per cent of the total tonnage.

On facts like these the national character of the Eric Canal has been fully established. It is the medium of transport, not for the trifling products of a single State, but for the accumulated products and manufactures of many States and Territories in their commerce with each other and with foreign nations. The enlargement of this important waterway concerns the East and the West. The cities of Philadelphia, Boston, Portland, New York, and every town and hamlet in New England, are alike interested in obtaining the staff of life at cheap rates. Will the great clites of the East object to an improvement which is to give them cheap food? Mr. Hazard concluded by moving as a substitute for the resolution the following, submitted in 1870 by the Buffalo Board of Trade:—

Resolved, That the maintaining and improvement of inland transportation by water, natural and artificial, as a commercial necessity in controlling and cheapening the cost of transportation of the agricultural, mining and manufacturing products of the country, are incumbent alike upon the States and the general governmen—First, upon States, on such water ways whose traffic is of a local character; and second, it is plainly the province and duty of the government to improve such water channels, rivers or canals whose traffic or tonnage, being the commerce of many States or greups of States in their intercourse with each other, may be considered national in its character; therefore,

Resolved, That the commerce of the great lakes, being strictly national in its character, it is eminently proper that the general government should, and it is respectfully requested to take such measures, in connection with the general government should, and it is respectfully requested to take such measures, in connection with the sommerce of the great lakes, being strictly national in its character, it is eminently proper that the general government should,

thereby adding to the material wealth of the country.

Mr. Ropes, of Boston; Mr. Opdyke, of New York, and Mr. Busby, of Philiadelphia, spoke on the subject, and the resolutions, on motion of Mr. Opdyke, were laid on the table.

Mr. TAYLOS, from the Committee on Conference with the Canadian delegates, made a report on the question of reciprocity, as shown in the following resolution, which was made the special order for to-day:—

Resolved. That the Proceedings of the Canadian delegates and the special order for the country of the country of

resolution, which was made the special order for to-day:—

Resolved, That the Executive Council memoralize Congress to make an appropriation for the appointment of a commission to sit, in conjunction with the State Department, in negotiating a treaty with Great Britain for reprocal trade with the Dominion of Canada on a broad comprehensive and liberal basis, which shall also include the enlargement of the Canadian canals by the government of Canada, and the right of American vessels to navigate the said canals under the same conditions as are imposed upon Canadian vessels. The report was made the special order for to-day.

GAMBLING IN STOCKS.

The majority of the special committee on stock subling reported the resolution published in yesterday's HERALD. Mr. Branch reported from the

Resolved. That the National Roard of Trade desires to express its unqualified disapproval and condemnation of the system of reckless gambling in stocks, gold and merchandise which has become so common in our larges commercial centres; that it regards this class of transactions as essentially permicious in character, utterly in defensible on every ground of moral principle, and cetain to result in the deterforation of our national character, and we call upon our constituent bodies and all where in any way associated with us to lend their sid discountensuing and discountensuing are desired as a desired discountensuing and discountensuing and discountensuing and discountensuing are desired as a desired discountensuing and discountensuing and discountensuing and discountensuing and discountensuing are desired as a desired discountensuing and discountensuing

and commerce from their legitimate channels and objects.

An animated discussion followed, many of the members maintaining that these stock speculations were not dishonest. The resolution of Mr. Branch was lost and the resolution of the majority was adopted. The Board then adjourned to participate in the excursion to Hell Gate.

An Excursion to Hell Gate. By invitation of the Chamber of Commerce and Importers and Grocers' Board of Trace of this city the delegates, with their lady friends, at one o'clock, took passage on the ferryboat Winona for a visit to the points of interest on the rivers and harbor. The vessel was gorgeously draped in bunting, and a fine collation awaited the guests. The party first ran down into the basin on the Brooklyn shore, viewed the storehouse, then proceeded up the Long Island shore to Hallett's Point. Disembarking, half an hour was devoted to the inspection of the tunnels under Hell Gate, under charge of General John Newton, who took special pains to explain the character of the work. The visitors expressed their astonishment at the magnitude of the undertaking, and many of them complimented General Newton upon the progress he has made. Returning, the shore of New York side was hugged quite closely, to enable the party to see our dock system. A brief run was made up the North River, and at fifteen minutes after five the party disembarked at Wall street ferry. Among the invited guests were the Canadian delegation, Thomas White, Jr., of the Montreal Gazette; Peter Cooper, Senator Murphy, George W. Blunt, W. B. Belknap and E. A. Jones. a visit to the points of interest on the rivers and

### JERSEY CITY STREET IMPROVEMENTS

### Turnpikes and Plank Roads Abolished.

Five Great Thoroughfares Through the City-The Mountain Road-A Turnpike with a Bloody History-Street Contractors Outwitted-A New and Improved System of Competition.

Progress in Jersey City has been a myth, because in the matter of public highways the city has been almost on a level with Weehawken or any of the other poor townships of Hudson county. The only thoroughfares leading from the city are what are designated "plank roads"-an institution handed down from the days of our great-grandiathers. The existence of turnpikes within the limits of a community numbering 125,000 inhabitants, and bossting of a high order of civilization, is a latest session of the Legislature a movement in the right direction was made by the passage of a bill authorizing the Boards of Chosen Free holders of Essex and Hudson counties to purchase the turnpike bridge over the Hackensack leading to Newark and throw it open to the puolic for all time. The Boards carried out the provisions of that bill. A different movement is now in active progress, which will so completely outflank the inheritors of the venerable turnpike institution that they will live to see the grass grow at the gates.

The construction of the six great highways leading through Jersey City to the suburbs will constitute the greatest public improvement of the past street, running from the Hudson to the Hacken sack River; Grand street, which leads to the main road to Newark; Newark avenue, the great central

sack River; Grand street, which leads to the main road to Newark; Newark avenue, the great central artery of the city, extending its entire length; the Mountain road, which forms an indispensable link between Hoboken and the northwestern section of the city; and Bergen avenue, which is the great thoroughfare leading to Bergen Point. The Montgomery street improvement is being pushed forward so rapidly that, in spite of the repeated landslides and "disappearances," it will be completed by next Spring. Grand street is no longer a disgrace to the city. The pavement in the lower section of the city will be laid within a few weeks. The Newark avenue improvement will be finished within a month, and it will then be second to no thoroughfare in the county. The Bergen Point road is no longer a mudhole at the southern limit of the city, and, although the work is not completed, the highway has become a fashionable driving ground.

The Mountain road is not only a desirable, but a wonderful improvement. To open communication with the hill it was necessary to excavate rock to a considerable depth, erect a retaining wall on the edge of a precipice from twenty to flity feet high, and to secure an easy grade the road winds in a zig-zag form. The cost of this improvement, according to the specifications and contract, was estimated at \$26,000, and although from the uniforeseen difficulties attending the execution of the work, fully \$6,000 more will be expended the improvement will be cheap in comparison with the erection of the "Hundred Steps," a most expensive stairway which was erected a few years ago at this place at a cost of \$21,000, a fact almost incredible when one considers the cost of the materials in the stairway. The excessive fatigue which follows an ascent, even in cool weather, will necessitate an abandonment of this route when the mountain road is completed. Mr. Clark, a member of the Board of Public Works, states that this will be the most creditable job performed by any of the contractors of the city for a long ti

states that this will be the most creditable job performed by any of the contractors of the city for a long time.

Near the base of this thoroughfare is the terminus of the last of the turnpikes, which has some bloody associations connected with it. Fifteen years ago a party of men employed in Rommelt & Leicht's brewery undertook to burn down the shanty at the toil gate, as the toil collector gathered in a large revenue on brewery wagons alone. A night was appointed and the men came prepared to burn it down, but before they reached the place a driver or a brewery wagon drove up his team and swept the structure aside. Mr. Leicht, nowever, reconstructed the shanty next morning, and in the meantime endeavored to effect a compromise with the turnpike company. All overtures were spurned. The men came along a week afterwards and burned it to the ground. The toil collector secured his gun and taking alim at a man who was an innocent spectator on the heights, but whom he supposed to be one of the incendiaries, shot him in the leg. The man recovered and no legal proceedings were instituted. The turnpike, which is the direct highway to Paterson, is the property of the Hoboken Land and Improvement Company. The next step to reduce the company to the condition of Othello will be the improvement of Ogden road, forming a connection with the mountain and turnpike roads.

The latest great public improvement in the city is the extension of Washington street to the Central Rallroad. A bridge with a draw is to be erected over the Morris Canal Creek.

A bridge is to be erected also in the extension of Washington street to the Central Rallroad. A bridge with a draw is to be erected over the Morris Canal Creek.

A bridge is to be erected also in the extension of washington street to the Central Rallroad. A bridge with a draw is to be erected over the Morris Canal Creek.

A bridge is to be erected also in the extension of washington street to the Central Rallroad. A bridge with a draw is to be erected over the Morris Canal Creek.

A b

sufficient to erect the buttresses, and yet, by some sort of legerdemain, the man is to make money on it. A protest was lodged against an award to this man and some revelations are promised in connection with this improved and patented system of bidding. The Board of Public Works will, no doubt, act cautiously, as they always do when the Grand Jury is in session.

### SOLDIERS AND SAILORS' REFYION.

Fourth Annual Meeting of the Society of the Army and Navy of the Gulf. The Society of the Army and Navy of the Gul held their fourth annual reunion yesterday, at Apollo Hall. Rear Admiral Thatcher presided. General Forsyth, aide-de-camp of General Sheridan, read the following letter explaining General Sheridan's absence :-

Sheridan's absence:

My Dram Admiral Ballet—I had notified the Secretary that I would be present at the annual meeting of our society on the 19th, and now, with deep regret, have to annuance my absence. I have been unexpectedly called 5t. Louis on official duties which cannot be avoided, and will be too late to reach New York on the 17th. I send to the society my warmest greeting, and know you all will have a happy time, and expect to hear that you have again taken New Orleans. Yours truly.

P. H. Sheridan.

have again taken New Orleans. You'rs truly.

P. H. SHERIDAN.

Letters of a similar character were also received from President Grant and the members of the Cabinet, and from General Sherman, General Meade, General Emory and Governor Hofman. The address was delivered by General H. B. Sargent, the purport of which was to show that the war had wiped out every vestige of States rights and declared the meaning of the constitution. He said that in his opinion part of the education of the youth of the country should be a year's military service in the militia, with the strictest military discipline.

A poem was read by its author—Colonel Duganue—in which the most patriotic sentiments were uttered.

gaune—in which the most patriotic sentiments were uttered.

Officers were elected for the ensuing year as follows:—President, Rear Admiral Theodore Bailey; Vice Presidents, Rear Admiral Thatcher and Major General Franklin; Secretaries, Colonel Granville P. Hawes and Major James P. Montgomery; Treasurer, Captain Robert A. Ripley; Executive Committee—General G. F. Shepley, Colonel A. W. Bradbury, Captain H. T. Carter and Mayor J. M. Gould.

There were not more than fifty members present, this being caused by a mistake in the selection of the date for the reunion, the original date being follows held at the Metrepolitan, according to the custom of previous years. The reunion next year will be held in Portland, Me., the date being August 6,